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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

DECLARATION OF JEFF NARDINELLI

1 I, Jeffrey W. Nardinelli, hereby declare as follows.

2 1. I am a member of the bar of the State of California and an associate with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC ("Waymo"). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. On Thursday, July 27, on a meet-and-confer call with counsel for Otto Trucking as
7 well as Special Master John Cooper, I expressed surprise that Otto Trucking had sent an email re-
8 opening issues that I had thought resolved as of June 27. I explained that the issues raised by Otto
9 Trucking's July 27 email were covered in previous emails dated June 21 and June 27.

10 3. Although I do not recall the date, I specifically remember discussing on a
11 conference call with Special Master Cooper and opposing counsel the issue of whether to serve a
12 special pleading detailing Waymo's written explanation concerning its retention of SVN log data.
13 I specifically recall taking the call from my sister's house in Los Altos Hills. I recall Special
14 Master Cooper stating that Waymo's written representation via email stood as its word and
15 obviated the need for a special pleading.

16 4. On August 25, 2017, I asked Gary Brown how long it would take him to pull full
17 CAMP/Armada records for 34 people. He estimated one week. Mr. Brown had previously
18 explained to me the steps necessary to pull historical web traffic data for an individual user, and I
19 consulted my notes from that conversation in drafting Waymo's Opposition.

20 5. Attached as Exhibit 1 is a true and correct copy of an email sent by Jeff Nardinelli
21 on June 8, 2017.

22 6. Attached as Exhibit 2 is a true and correct copy of an email sent by Jeff Nardinelli
23 on June 15, 2017.

24 7. Attached as Exhibit 3 is a true and correct copy of an email sent by Jeff Nardinelli
25 on June 27, 2017.

26 8. Attached as Exhibit 4 is a true and correct copy of an email sent by Jeff Nardinelli
27 on July 13, 2017.

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1 9. Attached as Exhibit 5 is a true and correct copy of an email and attachment
2 received from Hong-An Vu on August 1, 2017.

3 10. Attached as Exhibit 6 is a true and correct copy of an executed version of a forensic
4 examination protocol concerning two hard drives previously used by Anthony Levandowski.

5 11. Attached as Exhibit 7 is a true and correct copy of Waymo's Responses and
6 Objections to Otto Trucking's First Set of Requests for Admission, served August 24, 2017.

7 12. Attached as Exhibit 8 is a true and correct copy of a document produced by Waymo
8 in this action bearing Bates number WAYMO-UBER-00029412, which details the forensic
9 investigation into Mr. Levandowski.

10 13. Attached as Exhibit 9 is a true and correct copy of excerpts of the depositions of
11 Gary Brown and Kristinn Gudjonsson in this action, taken August 8 and July 28, 2017.

12 14. Attached as Exhibit 10 is a true and correct copy of several documents produced by
13 Waymo in this litigation response to Otto Trucking's requests for documents.

14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct.

16 DATED: August 25, 2017

17 /s/ Jeff Nardinelli
Jeff Nardinelli

18
19 **SIGNATURE ATTESTATION**

20 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
21 filing of this document has been obtained from Jeff Nardinelli.

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23 /s/ Charles K. Verhoeven
Charles K. Verhoeven
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